IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO : 10426 of 1995

Between:

1 K.Venkateshwara Rao S/o. Late K.Venkata Kutumba Rao Garu
R/O Kothapet Tenali
Guntur Dist .
2 K.Venkata Siva Ram Krishna Gupta S/o. Venkateswara Rao (late), 36 Years, Kothapeta, Tenali.

3 K.Mohan Balaji, S/o. Venkateswara Rao(late), 25 years, Kothapeta, Tenali, Guntur District.

4 K.Ramakotaiah S/o. S/o. Venkateswara Rao(late), 22 years, Kothapeta, Tenali, Guntur District.
(R.Rs. 2 to 4 were brought on records as LRs of deceased as per Court Order dt 18.8.98 in WPMP 2933/97)

..... PETITIONER(S)

AND

1 The District Collector,
Guntur.
2 The Revenue Divisional Officer,
Tenali, Guntur
3 The Tenali Muncipality rep. by Its Commissioner,
Tenali, Guntur.
4 The Tenali Press Club rep.by Its President B.L.Narayana,
C/o. Pragati Sports And Book Centre, Muniswaminaidu Road,
Gandhi Chowk, Tenali, Guntur.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction particularly one in the manner of Writ of Mandamus Directing the Respondent not to interfere with his peaceful possession and enjoyment of the site situated in TS237/1,block No.3 ward No.6 Kothapet, Tenali,

Guntur District declaring the action of the Respondent as illegal, arbitrary ultra vires to the provisions of Articles 14 of the Constitution of India and pass such other orders.

Counsel for the Petitioners:MR.V.S.R.ANJANEYALU

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

Counsel for the Respondent No.4: None

It has been submitted by the learned counsel for the petitioners that the cause of action does not survive.

The writ petition is accordingly dismissed. No costs.

28th October, 2004

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To

1 The District Collector,
Guntur.
2 The Revenue Divisional Officer,
Tenali, Guntur
3 The Commissioner,
The Tenali Municipality, Tenali, Guntur.

4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad.(OUT)

5 Two C.D. copies